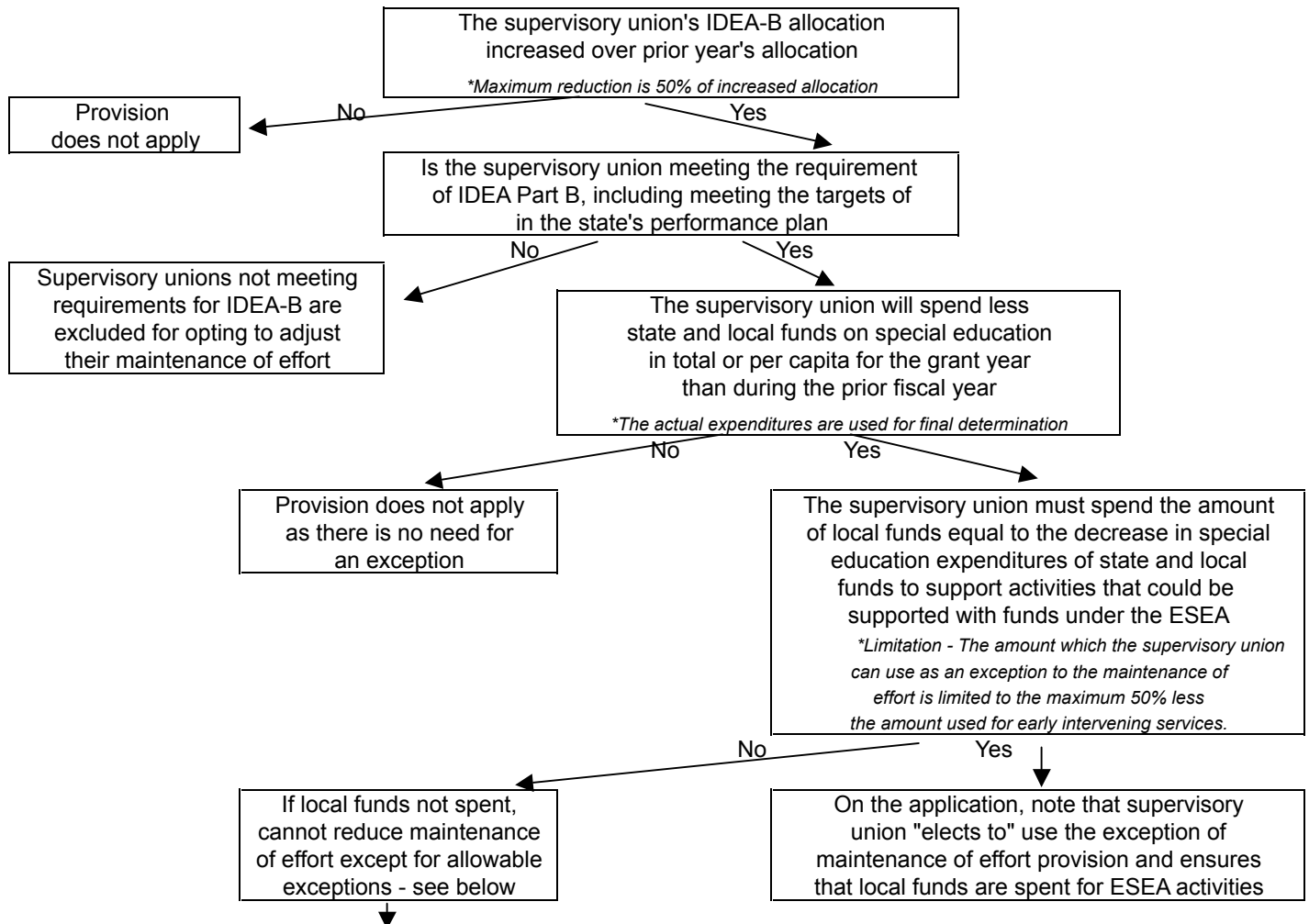


IDEA-B Grants

§300.205 Adjustment to local fiscal efforts in certain fiscal years



Allowable Exceptions to the Non-Supplanting Rules

§300.204 Exception to maintenance of effort

Notwithstanding the restriction in §300.203(a), an LEA may reduce the level of expenditures by the LEA under Part B of the Act below the level of those expenditures for the preceding fiscal year if the reduction is attributable to any of the following:

- (a) The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- (b) A decrease in the enrollment of children with disabilities.
- (c) The termination of the obligation of the agency, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the SEA, because the child -

- (1) Has left the jurisdiction of the agency;
- (2) Has reached the age at which the obligation of the agency to provide FAPE to the child has been terminated; or
- (3) No longer needs the program of special education.

Allowable exceptions must be documented to the Department of Education to account for the reduction in special education costs paid from State and local funds.